

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CRIMINAL NO. 1:05CR270**

**UNITED STATES OF AMERICA )**  
                               )  
                               )  
**VS.                         )                            ORDER**  
                               )  
                               )  
**CALVIN HOMER COGDELL     )                            )**  
                               )  
\_\_\_\_\_ )

**THIS MATTER** is before the Court on receipt of the Magistrate Judge's Memorandum and Recommendation filed February 24, 2006. Inasmuch as any objections to the Memorandum and Recommendation will not be due until March 13, 2006, during the second week of the trial term, a final ruling on the Defendant's motion to suppress will be deferred until time of trial.

**IT IS, THEREFORE, ORDERED** that a ruling on the Defendant's motion to suppress is hereby deferred until trial.

Signed: February 27, 2006



Lacy H. Thornburg  
United States District Judge

